



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/726,268	11/30/2000	Rabindranath Dutta	AUS920000344US1	5226

7590 04/21/2004  
KONRAD RAYNES & VICTOR LLP  
315 S. BEVERLY DRIVE  
SUITE 210  
BEVERLY HILLS, CA 90212

EXAMINER

LEE, PHILIP C

ART UNIT PAPER NUMBER

2154

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/726,268

Applicant(s)

DUTTA, RABINDRANATH

Examiner

Philip C Lee

Art Unit

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 10/9/2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1-36 are presented for examination.

*Claim Rejections – 35 USC 112\*

2. Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- a. Claim language in the following claims is not clearly understood:
  - i. As per claims 10, 22 and 34, line 6, it is uncertain what is meant by determined “form” the network address [i.e. determined “from” the network address].

*Claim Rejections – 35 USC 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 4-7, 12-14, 16-19, 24-26, 28-31 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrett et al, U.S. Patent 5,727,129 (hereinafter Barrett) in view of Barrett et al, U.S. Patent 5,908,467.

5. As per claims 1, 13 and 25, Barrett taught the invention as claimed for rendering network addresses of files capable of being downloaded over a network on an output device, comprising:  
generating a list of previously accessed network addresses (col. 8, lines 49-54; col. 10, lines 53-57); and  
associating a rating with each network address in the list indicating a number of previous visitations to the network address ( col.8, lines 49-61; fig. 6; col. 10, lines 57-64).

6. Barrett did not teach indicating an access time rating with each network address. Barrett et al taught an access time rating with each network address indicating a relative time to access a file from the network address (col. 3, lines 61-67; col. 5, lines 35-38; col. 6, lines 9-14).

7. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Barrett and Barrett et al because Barrett et al's method of indicating an access time with each network address would increase the user awareness of Barrett's system by indicating a relative wait time for downloading the information to the user (col. 3, lines 37-55).

8. As per claims 2, 14 and 26, Barrett and Barrett et al taught the invention as claimed in claims 1, 13 and 25 above. Barrett et al further taught comprising:

determining an access time indicator for one network address based on the access time rating, wherein there are at least two different access time indicators for different access time ratings (col. 6, lines 9-14, 62-65); and  
rendering the access time indicator when rendering the network address on the output device (col. 3, lines 61-67).

9. As per claims 4, 16 and 28, Barrett and Barrett et al taught the invention as claimed in claims 2, 14 and 26 above. Barrett further taught wherein the output device comprises a display monitor, wherein rendering the network address comprises displaying the network address on a display monitor and wherein rendering the access time indicator comprises altering the display of the network address on the display monitor (col. 8, lines 49-61; col. 10, lines 53-64).

10. As per claims 5, 17 and 29, Barrett and Barrett et al taught the invention as claimed in claims 4, 16 and 28 above. Barrett et al further taught wherein the access time indicator comprises a color in which to display the network address on the display monitor (col. 7, lines 20-28).

11. As per claims 6, 18 and 30, Barrett and Barrett et al taught the invention as claimed in claims 2, 14 and 25 above. Barrett further taught wherein the output device comprises a display

monitor (col. 6, lines 59-61), wherein the file accessed from the network address comprises a page to display on the display monitor, wherein the network address to render comprises a network address included in the page to display within the displayed page, and wherein the access time rating is based on a time to download the page from over the network (col. 8, lines 49-61; col. 10, lines 19-27).

12. As per claims 7, 19 and 31, Barrett and Barrett et al did not teach taught the invention as claimed in claims 6, 18 and 30 above. Barrett further taught wherein the access time rating is further based on a time to render the downloaded page as output on the display monitor (col. 8, lines 49-61; col. 10, lines 19-27).

13. As per claims 12, 24 and 36, Barrett and Barrett et al taught the invention as claimed in claims 2, 14 and 26 above. Barrett and Barrett et al further taught wherein rendering the access time indicator when rendering the processed network address further comprises:

accessing a list of selected network addresses (See Barrett, col. 8, lines 52-54; col. 10, lines 53-57);

determining the access time indicator for each of the network addresses in the list of selected network addresses based on the access time rating associated with each network address (See Barrett et al, col. 6, lines 9-14, 39-47, 62-66); and

rendering the determined access time indicator with each network address in the list of selected network addresses (See Barrett, col. 8, lines 57-61; col. 10, lines 57-64; fig. 6).

14. Claims 11, 23 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrett and Barrett et al in view of "Official Notice".

15. As per claims 11, 23 and 35, Barrett and Barrett et al taught the invention as claimed in claims 2, 14 and 26 above. Barrett and Barrett et al did not teach an autocomplete feature. "Official Notice" is taken for the concept of receiving characters of a network address a user inputs into an address field displayed on the output device and determining a set of network address from the list of previously accessed network addresses that begin with the received characters is known and accepted in the art. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to include the autocomplete feature in Barrett's and Barrett et al's systems because by doing so would increase the efficiency by allowing the user to selected the previously accessed network address without typing the complete network address.

16. Claims 3, 8-9, 15, 20-21, 27 and 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrett and Barrett et al in view of Swildens et al, U.S. Patent 6,484,143 (hereinafter Swildens).

17. As per claims 3, 15 and 27, Barrett and Barrett et al did not teach an access time rendered with the network address. Swildens taught rendering an access time with the network address to a user (col. 13, lines 40-col. 14, lines 12).

18. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Barrett, Barrett et al and Swildens because Swildens's method of rendering an access time with the network address would increase the user awareness of Barrett's and Barrett et al's systems by providing a wait time for downloading the information to the user.

19. As per claims 8, 20 and 32, Barrett and Barrett et al did not teach a time to download any file embedded in the page. Swildens taught the time to download the page further comprises a time to download any file embedded in the page that are rendered with the page (col. 13, lines 40-50).

20. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Barrett, Barrett et al and Swildens because Swildens's method of comprising the time to download any file embedded in the page would increase the accuracy of Barrett's and Barrett et al's systems by accounting for the wait time for downloading the embedded files with the requested page into the determination of the access time.

21. As per claims 9, 21 and 33, Barrett and Barrett et al taught the invention as claimed in claims 6, 18 and 30 above. Barrett and Barrett et al did not teach determining, storing and calculating the access time. Swildens taught the method comprising:



each time the page is downloaded from the network address, determining a time to download the page from over the network (col. 13, lines 40-50);  
storing each determined time with the network address (col. 13, lines 50-col. 14, lines 12);  
calculating an expected access time from the stored determined times for each network address (col. 13, lines 50-col. 14, lines 12).  
determining the access time rating from the expected access time (See Barrett et al, col. 3, lines 61-col. 4, lines 5; col. 6, line 9-14, 39-47).

22. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Barrett, Barrett et al and Swildens because Swildens's method of determining and storing the access time would increase the user awareness of Barrett's and Barrett et al's systems by monitoring and logging the relative wait time for downloading the information via the network.

23. Claims 10, 22 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrett and Barrett et al in view of Killian, U.S. Patent 6,438,592.

24. As per claims 10, 22 and 34, Barrett and Barrett et al taught the invention as claimed in claims 6, 18 and 30 above. Barrett and Barrett et al did not specifically detailing the web page. Killian taught wherein the page is implemented in a markup-language including tagged elements, further comprising:

generating a document object including nodes for the tagged elements (col. 12, lines 54-62);

generating a node for each network address included in the page (col. 12, lines 54-62);  
and

generating an attribute for each network address node implementing the access time indicator determined from the network address, wherein the page is rendered from the document object (See Barrett et al, col. 3, lines 61-67; col. 6, lines 9-14, 58-66).

25. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Barrett, Barrett et al and Killian because Killian's teaching of the page with tagged element would increase the field of use in Barrett's and Barrett et al's systems.

## CONCLUSION

26. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip C Lee whose telephone number is (703)305-7721. The

examiner can normally be reached on 8 AM TO 5:30 PM Monday to Thursday and every other Friday.

28. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (703)305-8498. The fax phone number for the organization where this application or proceeding is assigned is (703)872-9306.

29. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)350-6121.

P.L.



JOHN FOLLANSBEE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100